



sfw

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
LEVL106

In Re Application Of: **SCARBOROUGH**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/753,924	01/06/2004	BENNETT	21,658	2859	5707

Title: **TAPE MEASURE THAT INCORPORATES A MARKING DEVICE**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

RESPONSE TO OFFICE ACTION DATED 10/26/04
RETURN RECEIPT POST CARD

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
- ☐ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **JANUARY 21, 2005**

STEPHEN M. NIPPER
DYKAS, SHAVER & NIPPER, LLP
PO BOX 877
BOISE, ID 83701-0877
208-345-1122
REG. NO. 46,260

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on
01/21/2005

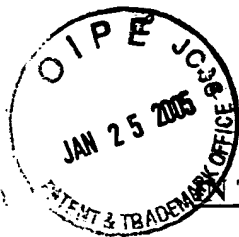
(Date)

Signature of Person Mailing Correspondence

AMBER R. SMITH

Typed or Printed Name of Person Mailing Correspondence

cc: **CLIENT**



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SCARBOROUGH

Group/Art Unit: 2859

Application No.: 10/753,924

Examiner: BENNETT

Filed: 01/16/2004

Attorney Docket No: LEVL106

Title: Tape Measure That Incorporates a
Marking Device

RESPONSE TO EXAMINER'S ACTION

Dated: 10/26/2004

To: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

In response to the Examiner's Action mailed October 26, 2004, please enter the following amendments and remarks of record:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this Response to Office Action.

Remarks/Arguments begin on page 6 of this Response to Office Action.